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EXTRAORDINARY

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GOVERNMENT OF PUNJAB
DEPARTMENT OF HOME AFFAIRS AND JUSTICE
NOTIFICATION

The 19th July, 2022

No. 11/05/2022-4H1/1560.—In exercise of the powers conferred by section 80 of the Punjab Police Act, 2007 (Punjab Act No. 10 of 2008) and proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Police Rules, 1934 namely :—

CRIMINAL RULES ON PRACTICE

1. (1) These rules may be called the CRIMINAL RULES ON PRACTICE, 2022.
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Police Rules, 1934 in Chapter 25 - Investigation, the following shall be inserted as Appendix No. 25.57, namely:-

1. BODY SKETCH TO ACCOMPANY MEDICO LEGAL CERTIFICATE, POST-MORTEM REPORT AND INQUEST REPORT:

Every Medico-Legal Certificate and Post-Mortem Report shall contain a printed format of the human body on its reverse and injuries, if any, shall be indicated on such sketch.

Explanation: The printed format of the human body shall contain both the frontal and rear view of the human body as provided in ANNEXURE – A.

2. PHOTOGRAPHS AND VIDEOGRAPHS OF POST-MORTEM IN CERTAIN CASES

- i. In case of death of a person in police action [under Section 46 of Criminal Procedure Code, 1973 (Cr.PC) or Sections 129 to 131 Cr.PC] or death while in police custody, the magistrate or the Investigating Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.

- ii. Such photograph and videographs shall be taken either by arranging a police photographer or a nominated photographer of the State Government, and where neither of the above are available, an independent or private photographer shall be engaged.
- iii. Such photographs or videographs shall be seized under a panchnama or seizure memo and all steps taken to ensure proper proof of such photographs/videographs during trial.
- iv. The Investigating Officer shall ensure that such photographs and videographs, if taken electronically, are seized under a panchnama or seizure memo and steps are taken to preserve the original, and ensure that certificate under Section 65B Indian Evidence Act, 1872 is obtained and taken to be proved during trial.
- v. The video or photographs shall be stored on a separate memory card, accompanied by a duly certified certificate under Section 65B Indian Evidence Act, 1872.
- vi. Where post-mortems are recorded in electronic form, the file containing the post-mortem proceedings, duly certified, should be placed with the memory card as an attachment unless individual memory cards are not capable of being produced before Court.

3. SCENE MAHAZAR/ SPOT PANCHANAMA

- i. A site plan of the place of occurrence of an incident shall be appended by the Investigating Officer to the scene mahazar or spot panchnama.
- ii. The site plan shall be prepared by the Investigating Officer by hand, and shall disclose
 - a. the place of occurrence,
 - b. the place where the body (or bodies) was / were found,
 - c. the place where material exhibits and/or weapons were found,
 - d. blood stains and/or body fluids had fallen,
 - e. the place where bullet shells, if any, were found or have caused impact,
 - f. the source of light, if any and
 - g. adjoining natural and man-made structures or features such as walls, pits, fences, trees/bushes, if any and
 - h. elevation of structures and their location.
- iii. The preparation of this sketch by the Investigating Officer shall be followed by a scaled site plan prepared by police draftsman, if available, or such other authorized or nominated draftsman by the State Government, who shall prepare the scaled site plan after visiting the spot.
- iv. The relevant details in the mahazar or panchnama shall be marked and correlated in the said site plan.

4. SEPARATION OF PROSECUTORS AND INVESTIGATORS

The Advocates, other than Public Prosecutors, appointed by the State Government shall advise the Investigating Officers during investigation.

ANURAG VERMA
 Principal Secretary to Government of Punjab
 Department of Home Affairs and Justice.

ANNEXURE-A

